

# SENATE BILL 245

R6  
SB 189/09 – JPR

0lr0750  
CF HB 550

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By: **Senator Simonaire**

Introduced and read first time: January 22, 2010

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 9, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **School Bus Seat Belt Corrective Language Act**

3 FOR the purpose of clarifying that a certain type of school vehicle used by certain  
4 schools, camps, day nurseries, or day care centers to transport children is not  
5 required to be equipped with seat belts and is not subject to certain regulations;  
6 establishing that a motor vehicle that formerly was registered as a certain type  
7 of school vehicle is not required to be equipped with seat belts and is not subject  
8 to certain regulations if it is used by certain schools, camps, day nurseries, or  
9 day care centers to transport children; and generally relating to seat belts on  
10 school buses.

11 BY repealing and reenacting, without amendments,  
12 Article – Transportation  
13 Section 11–154 and 11–173  
14 Annotated Code of Maryland  
15 (2009 Replacement Volume and 2009 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Transportation  
18 Section 22–412.1  
19 Annotated Code of Maryland  
20 (2009 Replacement Volume and 2009 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Transportation**

2 11–154.

3 (a) “School vehicle” means, except as provided in subsection (b) of this  
4 section, any motor vehicle that:

5 (1) Is used regularly for the exclusive transportation of children,  
6 students, or teachers for educational purposes or in connection with a school activity;  
7 and

8 (2) Is either:

9 (i) A Type I school vehicle, as defined in this subtitle; or

10 (ii) A Type II school vehicle, as defined in this subtitle.

11 (b) “School vehicle” does not include:

12 (1) A privately owned vehicle while it is carrying members of its  
13 owner’s household and not operated for compensation; or

14 (2) A vehicle that is registered as a Class M (multipurpose) vehicle  
15 under § 13–937 of this article or a Class A (passenger) vehicle under § 13–912 of this  
16 article and used to transport children between one or more schools or licensed child  
17 care centers or to and from designated areas that are approved by the Administration  
18 if:

19 (i) The vehicle is designed for carrying 15 persons or less,  
20 including the driver;

21 (ii) The children are permitted to embark or exit the vehicle  
22 only at a school or child care center or a designated area approved by the  
23 Administration;

24 (iii) The owner has obtained vehicle liability insurance or other  
25 security as required by Title 17 of this article; and

26 (iv) The vehicle is equipped with proper seat belts or safety seats  
27 so as to permit each child to be secured in a seat belt or a safety seat as required by §§  
28 22–412.2 and 22–412.3 of this article.

29 11–173.

30 (a) “Type I school vehicle” means a school vehicle that:

1 (1) Is designed and constructed to carry passengers;

2 (2) Is either of the body-on-chassis type construction or integral type  
3 construction; and

4 (3) Has a gross vehicle weight of more than 15,000 pounds and  
5 provides a minimum of 13 inches of seating space per passenger.

6 (b) "Type I school vehicle" does not include any bus operated by a common  
7 carrier under the jurisdiction of a State, regional, or federal regulatory agency or  
8 operated by the agency itself.

9 22-412.1.

10 Every motor vehicle that is used by nursery schools, camps, day nurseries, or  
11 day care centers for children with an intellectual disability to transport children [and  
12 that is not regulated as a "school bus" under this article,] shall be equipped with seat  
13 belts for each seat and shall be subject to any other regulations adopted by the  
14 Administration, **UNLESS THE MOTOR VEHICLE:**

15 (1) **IS A TYPE I SCHOOL VEHICLE; OR**

16 (2) **WAS FORMERLY REGISTERED AS A TYPE I SCHOOL VEHICLE.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2010.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.